

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

FREDDIE J. HAYWOOD,

Movant

v.

CIVIL ACTION NO. 2:07-0144
(Criminal No. 2:06-00146)

UNITED STATES OF AMERICA,

Respondent

MEMORANDUM OPINION AND ORDER

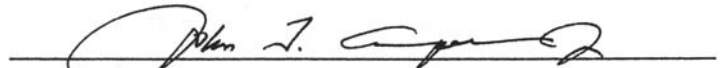
The court having received the proposed findings and recommendation of the United States Magistrate Judge filed on January 9, 2009, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B); and having reviewed the record in this proceeding; and there being no objections filed by either the United States or the movant to the proposed findings and recommendation; and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the proposed findings and recommendation of the magistrate judge be, and they hereby are, adopted by the court.

It is, accordingly, ORDERED that the movant's handwritten "Motion for Correction or Reduction of Sentence . . .

pursuant to Federal Rules [of] Criminal Procedure 35.B." be, and it hereby is, denied.¹

The Clerk is directed to forward copies of this order to the movant, all counsel of record, and the magistrate judge.

DATED: January 30, 2009


John T. Copenhaver, Jr.
United States District Judge

¹As noted in the proposed findings and recommendation, the magistrate judge had previously entered an order on March 28, 2007, construing movant's motion as having been filed pursuant to 28 U.S.C. § 2255. The magistrate judge has since vacated that order.